

91306

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application )  
 )  
Applicant: Holderer et al. )  
 )  
Serial No.: To Be Assigned )  
 )  
Filed: January 14, 2004 )  
 )  
For: OPTICAL MEASURING SYSTEM, AND A )  
PROJECTION OBJECTIVE )  
 )  
 )

INFORMATION DISCLOSURE STATEMENT

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313

Sir:

Pursuant to 37 C.F.R. §1.97, a list of documents is disclosed on the attached Form PTO-1449 that may be material to the examination of this application. The cited references are enclosed herewith.

Documents for which the supplied date of publication lists the year of publication without the month were published sufficiently earlier than the effective U.S. filing date and any foreign priority date, so that the particular month of publication is not in issue. Pursuant to §609 of the MPEP, it is understood that the month of publication is not required when the particular month of publication is not in issue.

No inferences should be drawn that the attached list represents a comprehensive investigation, or that any material disclosed is equivalent to the subject invention. In addition, none of the documents that have publication dates prior to the priority date of the above application anticipate the invention in this application.

Applicant also encloses a copy of the PCT Search Report and European patent application.

The cited document(s) disclose numerous specific features. There has been no attempt to list each

Atty. Docket No. 91306

and every feature disclosed by each document. The Examiner is requested to review the document(s) and determine the extent of the materiality of the document disclosures with respect to the present invention.

The discussion of any art and the citation of any document(s) herein is not to be construed as an admission that the art or document disclosure is necessarily within the invention field of endeavor, that the art or document disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that the art or document disclosure is otherwise necessarily prior art as defined by the patent law with respect to the instant invention and application.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosures of the art and document(s) recited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application. The recitation herein of the art and document(s) is not to be construed as an assertion that more pertinent art could not possibly be in existence.

Respectfully submitted,



---

Gerald T. Shekleton  
Registration No. 27,466

Dated: January 14, 2004

**WELSH & KATZ, LTD.**

120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606  
Telephone: 312-655-1500

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	Unassigned
				Filing Date	January 14, 2004
				First Named Inventor	HOLDERER et al.
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	1	of	1	Attorney Docket Number	91306

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Class	SubClass	Filing Date if appropriate
		4,177,601	12/11/1979	Morton			
		4,537,473	08/27/1985	Maschmeyer			
		4,953,306	09/04/1990	Weckenmann et al.			
		5,796,469	08/18/1998	Ebinuma			
		6,195,213	02/27/2001	Omura et al.			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>5</sup> (if known)				
		DE 41 07 299	09/10/1992	Mollenhauer		
		WO 03/012548	02/13/2003	Kohl et al.		

OTHER ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.